

**Planning & Zoning Commission**  
**Milton Library – 121 Union St**  
**Tuesday, November 18, 2014 – 6:30 pm**

**Transcriptionist: Helene Rodgvile**  
**[Minutes are not Verbatim]**

1. Call to order – Mark Quigley, Secretary (asked Don Mazzeo to run the meeting in Barry Goodinson's absence)
  
2. Roll call of members

Ted Kanakos	Present
Mark Quigley	Present
Lynn Ekelund	Present
Linda Edelen	Present
Don Mazzeo	Present
Barry Goodinson	Absent
  
3. Additions/Corrections to agenda  
Don Mazzeo: Do we have any additions or corrections to the agenda, as published? Hearing none, I will accept a motion for approval of the agenda.
  
4. Approval of agenda  
Lynn Ekelund: Move to approve the agenda.  
Linda Edelen: Second.  
Don Mazzeo: All in favor say aye. Opposed. Motion carried.
  
5. Presentation of Minutes  
Don Mazzeo: There are no minutes being presented this evening, so we do not have that.
  
6. New Business
  - a. The applicant, Fernmoor Homes at Heritage Creek, is requesting a final subdivision review/approval for Phase 6 of Heritage Creek further identified by Sussex County Tax Map and Parcel # 2-35-20.00-56.00.  
Don Mazzeo: Do we have a representative of the applicant here this evening?  
Mike Coven, George, Miles and Buhr, the Project Engineer: Really, I'll be brief. I'll just give you a quick refresher of where we are. We're talking about Phase 6, which is the area right here this is the record plat for that. You have plans. We have agency approvals. The Town Engineer has completed his review and he has approved the plans, so we're here asking you tonight for a final approval.  
Don Mazzeo: Before we go further, are there any questions from or by our engineer this evening? Recognizing that Mr. Savage has signed off on this, effective on October 29<sup>th</sup>.

Are there any questions or concerns that you had and has everything been addressed accordingly?

Carlton Savage, Pennoni Associates: All comments are now addressed. All the agency approvals have been submitted and my recommendation was to move forward with the approval of this phase.

Don Mazzeo: Thank you Mr. Savage. Do we have any questions from the Commission?

Ted Kanakos: Yes, I have one question. In our meeting last week with the Water Department they said we had 49 hook-ups left, or enough water to process 49 new homes. How many homes does this involve? How many are planning on being built in this sub-division?

Mike Coven: Are we talking about the entire sub-division, or this phase?

Ted Kanakos: What you're presenting this evening. How many homes would be involved in this?

Don Mazzeo: 69 units according to the record.

Mike Coven: Yes, thank you.

Ted Kanakos: How can we fit this in?

Don Mazzeo: I'm going to defer this to Mr. Collier, as a comment, because I'm not sure where Planning and Zoning has the authority to deny based on something that is out of their scope of jurisdiction.

John Collier: It's my understanding that the water system is capable of servicing all of the homes within this... that was part of the original, when this goes out for consideration by all departments and the comment came back that was very early on, that it's capable of servicing... I'm not sure where the number 49 units came from, that we can add. I think that's probably a misnomer at this particular point in time. Maybe it's misunderstood, but I don't know. I would have to review the minutes of the particular meeting you're talking about in order to understand exactly what you're referring to.

Ted Kanakos: I'm referring to the meeting that we had with the Water Department, based on our Comprehensive Plan, Mr. Wingo...

John Collier: Yes.

Lynn Ekelund: I think he's referring to the November 11<sup>th</sup> meeting and as I recall, Greg said between 59 and 100 new homes before we would have to drill a new well.

Ted Kanakos: 50 and 100? So this has already been factored in, long before he come up with that figure?

John Collier: That would be my assumption at this time, not having Mr. Wingo here to defend his statement, I can't say.

Ted Kanakos: So one way or the other, once this goes through, we have then just a few left, according to Mr. Wingo.

John Collier: Again, as part of the process, every one of these is reviewed by the Public Works Department for the ability to service and that determination would be made at the time it was submitted and usually that's in the preliminary stage that things like servicing it for water and thing occur; so we're at the final stage, so that's already been asked and addressed, would be my feelings about that at this time.

Mike Coven: I don't know about this particular instance, but usually there's a difference between allocated EDU's and actual connecting of EDU's and usually they keep track of how many have been allocated through the system, even though you might physically

have them connected.

Ted Kanakos: Well are the EDU's basically for Tidewater or for normal town water?

Mike Coven: It's the same thing. EDU's is just the equivalent dwelling unit. Every use has a value.

Ted Kanakos: Water and sewer factor?

Mike Coven: Yes, Sir.

John Collier: If you'd care to comment, please come up.

Carlton Savage: Good evening. I'm not aware... I've talked to Greg. The only issues I know of for this project, is there is a water loop that Fernmoor Homes is preparing to construct. The system that Fernmoor Homes is preparing right now to construct. We have and Greg has put some stipulations on not allowing Certificate's of Occupancy until that water loop gets constructed and they're preparing to do that. I don't know what the status is. Maybe you guys can update us on the status, but that should not hold back the approval for a phase. Early on in the process, when the Town approves a sub-division, they have to look at that point, whether or not they can serve a sub-division. I would assume and don't quote me on this, but I would assume that that was looked at early on as John was just mentioning. With what we have here, this should be a formality of approving something that's already been looked at. The 50 homes could be a Tidewater issue, or it could be a town water system issue with starting to run out of potentially allocatable units, but I'm not aware of anything at this point that should hold back this approval.

Ted Kanakos: So your application is basically under the line and okay?

Carlton Savage: Correct.

Ted Kanakos: So any new large groups coming in would have...

Don Mazzeo: They would then have to go through the same process as any brand new application, which would go through the town services reviews and making sure that all services were available prior to acceptance of an application or during the process of an application. To your point, though, Ted, the purpose of this particular session this evening is just to approve, or not approve, the applicant's presentation as it's given to us. It's outside of our scope to suggest that we cannot give an application approval, based on something that is not here and present tonight, because water and sewer are not on the table tonight. That was on the table back in 2004 whenever the original plan was put through.

Ted Kanakos: Fine, thank you.

John Collier: Mr. Kanakos, this also still has to go through one more step. It also goes before the Council before it's recorded, so the Council won't act on it until it receives the blessing from Planning and Zoning.

Ted Kanakos: Correct.

Linda Edelen: If I understand what you're all saying, I just want to repeat it. You have in Heritage Creek 400 and some odd homes for the total development? I don't need an exact number, but...

Mike Coven: There are 425 units in the approved Master Plan.

Linda Edelen: So I would think if someone is saying we've only got room for 49 more, that's above and beyond the 425 that have already been approved.

Mike Coven: I believe that's correct.

Don Mazzeo: That would be my take on it, as well.

Linda Edelen: I don't know if that's correct, but that's what makes sense to me.

Ted Kanakos: That sounds reasonable.

Don Mazzeo: Right.

John Collier: That's always been my understanding.

Don Mazzeo: Okay. Do we have any other questions of the applicant, concerns?

Everyone's quite content with the layout of the buildings, which is basically straightforward. There's a lot of townhouses going in. 60. It just begs a question. Are there other sections that you'll be opening, that will also have townhouses?

Mike Coven: There is just one phase left, which is this piece here and a small section here and the ones you see in purple are townhouses. So you've got some here and some here.

Don Mazzeo: Okay.

Ted Kanakos: Just for my information, explain how... and anyone can answer this. Schell has sold off it's interests in Heritage Creek and it's now Fernmoor Homes?

Mike Coven: That actually happened some time ago.

Ted Kanakos: It happened some time ago. Now Fernmoor Homes is the developer and the builder? Or is there a separate developer, a separate builder, do you know?

Mike Coven: Schell has been still building in there. I think from this point forward, it's going to be Fernmoor Homes.

Ted Kanakos: Now has Fernmoor Homes bought additional land outside of what they have now, to develop? Do you know?

Mike Coven: I do not.

Ted Kanakos: I heard that they had bought another piece of land down Route 5, towards Harbeson; which would be annexed on to this existing development. I was just wondering if you had any information on that.

Mike Coven: No, Sir, I don't know anything about that.

Don Mazzeo: Just one final question on the townhouses. Where will the vehicles be parked? Are they going to be under the townhouses? In their own garages? Or are these going to be street parked?

Mike Coven: There are one car garages on there and we do also have parking in the driveway.

Don Mazzeo: Okay.

Mike Coven: All those are set back far enough to allow parking in front.

Don Mazzeo: Okay. Thank you. Any other questions or comments? Hearing none, I will...

Lynn Ekelund: I will move to approve the final sub-division plan for Phase 6 of Heritage Creek further identified by Sussex County Tax Map and Parcel # 2-35-20.00-56.00.

Don Mazzeo: Do I have a second?

Ted Kanakos: I'll second it.

Don Mazzeo: All those in favor say aye. Opposed. Motion has passed.

Mike Coven: Thank you.

Don Mazzeo: That takes care of item number 6 under New Business.

7. Business – Discussion and possible vote on the following items:

a. Review and update of Town of Milton's Comprehensive Plan

Don Mazzeo: In light of the fact that our Chairperson is not present this evening, he may have a specific item that he would have liked to have discussed. I would suggest that we forego any further discussions until we have our next meeting, specifically designed and I

believe that's for Thursday night, this week.  
Lynn Ekelund: I agree with that.

8. Adjournment

Don Mazzeo: I will accept a motion to adjourn.

Ted Kanakos: I'll make a motion to adjourn.

Mark Quigley: Second.

Don Mazzeo: All those in favor say aye. Opposed. Motion is carried. Meeting ended at 6:45 p.m.  
Thank you very much, all who have attended this evening and pass the word to your neighbor's and friends, even your enemies.